

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 37, 43, 45, 50, 52 and 54 are allowable. The restriction requirement between species, as set forth in the Office action mailed on 8/21/2008, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** No claims are withdrawn from consideration.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Hamilton on 10/8/2008.

The claims have been amended as follows:

The entire text of claim 37 has been replaced with --A glass plate and insert assembly comprising: a glass plate including a generally spherical hole having a flat circular bottom, a concave region, a cylindrical region and a frustoconical opening in a surface of the plate, a diameter of the concave region being greater than a diameter of the cylindrical region; a deformable insert having retaining walls forming a through bore with female threads, the walls having radially spaced petals which are inwardly bendable and spaced apart by slots therebetween, the petals each having an outer surface with an outwardly curved region and inward step; the curved region having a greater outer diameter than the inward step to allow the curved region to conform to the concave region, and allow the inward step to abut the cylindrical region, and a peripheral recess formed in a lower peripheral portion of the walls to increase flexibility of the petals; and a connecting element with male threads to threadably engage the female threads and thereby block inward flexing of the petals and lock the insert within the glass plate.--

Claims 42, 44, 47, 51 and 53 have been canceled.

The entire text of claim 43 has been replaced with --The assembly as claimed in claim 37, wherein the slots include three, four, or five slots--.

Claim 45, line 1, "The insert" has been replaced with --The assembly--.

Claim 50, line 1, "The plate as claimed in claim 47" has been replaced with --The assembly as claimed in claim 37--.

Claim 52, line 1, the phrase "The assembly as claimed in claim 51" has been replaced with --The assembly as claimed in claim 37--.

The entire text of claim 54 has been replaced with --A method for manufacturing a glass plate and insert assembly, the method comprising: providing the glass plate and insert assembly, as claimed in claim 37; and positioning the insert within the hole and heat treating the glass plate.

***Allowable Subject Matter***

Claims 37, 43, 45, 50, 52 and 54 are allowed. The following is an examiner's statement of reasons for allowance:

- The prior art does not anticipate the limitations of claim 37.
- The prior art does not provide any teaching, suggestion or motivation (TSM) to modify the prior art as such.
- There is no cogent reasoning that is unequivocally independent of hindsight that would have led one of ordinary skill in the art at the time the invention was made to modify the prior art to obtain the applicant's invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (571) 272-7085. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

October 17, 2008

/Victor MacArthur/  
Primary Examiner, Art Unit 3679